

P L A N N I N G C O M M I S S I O N

ACTION MINUTES

TUESDAY, AUGUST 7, 2001

Chair Parsons called the meeting to order at 7:02 p.m. at the Twin Pines Senior and Community Center.

ROLL CALL:

Present, Commissioners: Parsons, Mathewson, Wiecha, Gibson, Petersen Torre (arrived at 7:08)

Absent: None

Present, Staff: Community Development Director Ewing, Principal Planner de Melo, City Attorney Savaree, Zoning Technician Stone, Recording Secretary Flores

AGENDA STUDY SESSION: None

AGENDA AMENDMENTS: None

Commissioner Torre arrived at 7:08 p.m.

COMMUNITY FORUM (Public Comments):

Richard Vanderslice, 904 Hiller Street addressed the Commission, asking what the City's priorities are regarding redevelopment areas. Chair Parsons responded that a response to his question would be prepared for the next meeting.

CONSENT CALENDAR:

Minutes for 7-3-01

Minutes for 6-19-01

Minutes for 5-15-01

Minutes for 4-17-01

Minutes for 4-3-01

By consensus, it was agreed that Items A-E be continued to the next meeting so that Recording Secretary Flores can make corrections to the minutes.

Resolution denying a Single-Family Design Review, Grading Plan, and Tree Removal permit application to construct a new Single-Family Residence at 2927 San Juan Boulevard consistent with action taken by the Planning Commission on July 3, 2001.

Principal Planner (PP) de Melo asked that Item F be removed from the consent calendar so that the applicant could address the Commission. City Attorney (CA) Savaree clarified that, since the resolution had not been acted upon, it could be changed, or the item could be continued to a future meeting so that a public hearing could be renoticed and reopened.

Jerry Chapman, applicant, made a presentation detailing possible changes to the design, setbacks, landscaping and grading for the project in order to meet the requirements. He also distributed a letter from the neighbor at 2925 San Juan Boulevard granting permission to drill vertical holes in their property if required.

Responding to Chair Parsons' question, CA Savaree stated that Commissioner Torre could vote on the issue at this meeting, if she had read the staff report and listened to the tape of the meeting of July 3, 2001, at which time the project was denied. Commissioner Torre stated that she had not listened to the tape and was planning to abstain in this instance.

Commissioner Wiecha discussed her concerns regarding the possibility that the shoring system would extend onto the neighboring property, and the fact that the letter from the neighbor gave permission to drill vertical holes only. Mr. Romig of Romig Engineering stated that the reference to vertical holes was his error and that he had shown pictures to the neighbor of how the drilling would take place. He also stated that he had no concerns about the impact of the soil nails on the rock maps, and would shoot for a deflection of 2-3". Responding to Commissioner Wiecha, Mr. Ted Sayre from Cotton and Shires suggested monitoring of any deflections to the adjacent house during construction so that if there was movement there would be an audible alarm, but he did not believe using soil nails for temporary support was an unreasonable approach. Mr. Sayre added that he would hope that the soil nail shoring system would not have an impact on the support of the shallow piers but that it is possible. A monitoring array on the foundation of the existing structure would tell them if there were any movement towards the excavation.

Responding to Commissioner Gibson's question regarding the adequacy of the foundation of the adjacent house, Mr. Sayre stated that he had looked at the parameter of the downslope portion of that home, he didn't see any cracks. He added that it was probably built to meet the standards of construction at that time but if it were built today the piers would probably go considerably deeper.

Commissioner Wiecha asked for counsel on the prospect of approving a project that is going to impact an adjacent property. CA Savaree stated that the Commission needs to be guided by the findings that are laid out in the City's ordinance; the commission should determine from the technical experts if there is any other way to build this house that would reduce the amount of grading rather than asking if they have to go on to adjacent property. CDD Ewing added that the Commission needs to determine if the finding that the project will not endanger the stability of the site or adjacent properties can or cannot be made. Mr. Sayre stated he doesn't foresee a movement of a very large amount of ground that might undermine and cause collapse of the adjacent property if soil nails are properly designed and installed during excavation.

Commissioner Wiecha suggested that perhaps there is an alternative design that would keep the entire excavation, including shoring, within the existing property.

MOTION: By Commissioner Gibson, seconded by Commissioner Petersen, to continue the item to a date uncertain, to allow for re-noticing and reopening of the public hearing.

Ayes: Gibson, Petersen, Wiecha, Parsons

Noes: Mathewson

Abstain: Torre

CDD Ewing stated that the item will likely be brought back to the Commission at a meeting in September. Commissioner Torre asked staff to provide her with a tape of the July 3, 2001.

PUBLIC HEARINGS:

Public Hearing – 1500 Ralston Avenue. Study Session to consider Phase I of a Detailed Development Plan (DDP) for Notre Dame de Namur University which includes construction of a new 42,000 square foot residence hall, 19,000 square foot campus center, surrounding landscaping and review of Design Guidelines for future development. The Conceptual Development Plan (CDP) for the project was approved by the City Council on October 24, 2000.

(Appl. No. 01-0095); APN: 044-360-070, 100, & 120; Zoned: PD (Planned Development); Maureen Freschet (Applicant); Notre Dame de Namur University (Owner)

As a point of order, since one Commissioner has resigned and three Commissioners are required to recuse themselves due to a conflict of interest, CA Savaree stated that the Fair Political Practices Commission's "Rule of Necessity" may be invoked in order to have a quorum of four to discuss this project. She explained that this rule from the Fair Political Practices Commission provides that the three Commissioners who would normally need to recuse themselves may draw straws, and the person who draws the short straw would be the fourth member to participate throughout the processing of this project. Commissioners Gibson, Petersen and Wiecha drew straws, after which Commissioners Gibson and Petersen recused themselves and left the dais.

PP de Melo summarized the staff report and turned the presentation over to the applicants. Carol Probsfield, Vice President, introduced her successor, Maureen Freschet, who gave an overview of the project to this point. She then introduced Ralph Decker, architect, and Chris Ford, landscape architect, who reviewed the plans in detail.

At 8:36 p.m., Chair Parsons declared a brief recess. The meeting resumed at 8:45 p.m.

The concerns expressed by Commissioners were regarding the use of flat roofs and rectangular buildings, the use of acacia trees in the landscaping plan due to the allergens associated with this species, and the openness of the walk-through design. Commissioner Torre suggested that the applicant consider using beige concrete or other colors that would blend in with the surroundings.

Chair Parsons declared a recess at 9:20 p.m. Meeting resumed at 9:27 p.m.

Public Hearing - 1908 Hillman Avenue. To consider a Single-Family Design Review application to remodel the existing 1,476 square foot single-story residence. The proposed remodel will add 360 square feet at the rear of the dwelling on the ground level and a new 1,284 square foot second story. The remodeled dwelling will total 3,319 square feet where the maximum permitted floor area is 3,331 square feet. (Appl. No. 01-0094) APN: 044-062-060; Zoned: R-1B (Single-Family Residential) Larry A. Paul, Architect (Applicant); Stephen & Tanya Rianda (Owners)

C Mathewson recused himself due to living within 500 feet of the subject property.

PP de Melo summarized the staff report, recommending approval.

Chair Parsons opened the public hearing. No one came forward to speak.

Motion: By Commissioner Wiecha, seconded by Commissioner Gibson, to close the public hearing. Motion passed.

Commissioner Torre commented that she intends to vote for the project because it falls within the parameter laid out in the zoning code. She added the comment for her fellow Commissioners that this project is an example of a very small lot where the maximum amount of house allowed is being proposed for the lot. She feels that when the General Plan is up for review consideration should be given to whether the 3500-sq.ft. rule is appropriate for sites that range from 6000 square feet to 65,000 square feet.

Commissioner Wiecha felt that if the triangular space in the garage entryway were to be used for a workshop, it would make it impossible to park a second car in the garage.

Chair Parsons applauded the applicant for including the second car garage.

Motion: By Commissioner Wiecha, seconded by Commissioner Petersen, to adopt Resolution approving a Single-family Design Review at 1908 Hillman Avenue with the conditions as attached to the Resolution.

Ayes: Wiecha, Petersen, Gibson, Torre, Parsons

Noes: None

Recuse: Mathewson

Motion passed 5/0/1

Chair Parsons announced that this item can be appealed to the City Council within ten days.

Public Hearing – 2662 Belmont Canyon Road. To consider a Single-Family Design Review and Floor Area Exception to expand an existing single-family residence to include a 1,070 square feet on a new top story and addition of a covered deck. The remodel will add 1,070 square feet to an existing 2,710 square foot residence for a total of 3,780 square feet in a zoning district that permits 3,500 square feet. (Appl. No. 01-0053); APN: 043-211-070; Zoned: S-1/R-1B; CEQA Status: Exempt; Mary Dunlap, Applicant; Robert Ryan, Owner

Chair Parsons opened the public hearing. No one came forward to speak.

MOTION By Commissioner Wiecha, seconded by Commissioner Petersen, to continue this item to the August 21, 2001 meeting as staff and the applicant needed more time to discuss design options. Motion passed.

Public Hearing – 1642 Prospect Street. To consider a Setback Variance and Single-Family Design Review application to remodel the existing 2,311 sq. ft. single-story residence. The proposed remodel will reconfigure the interior space to add 304 square feet to the same level of the existing house. A new 516 sq. ft. two-car garage is proposed at street level below the main level of the residence. The proposed remodel will total 3,500 sq. ft., which is the maximum permitted in the R-1A zoning district; Appl. No. 01-0066); APN: 045-281-230; Zoned: R-1A; CEQA Status: Exempt; Carl Sciandai, Owner; Frank Gonsalves, Applicant

PP de Melo summarized the staff report and answered questions from the Commission.

Carl Sciandai, owner of the subject property, addressed the Commission, noting that the intent was to keep the original garage and design an additional two-car garage to provide parking for the five vehicles currently in the family. Responding to questions from the Commission, he stated that 1) his safety concerns related to the existing driveway are due to water seepage crossing the driveway, and 2) the original house will extend approximately 15' and the garage an additional 8' toward the front of the house. Commissioner Torre suggested that the applicant consider moving the interior stairway in order to preserve the view and light in the dining room. Commissioner Wiecha felt that, no matter what is done with the existing garage door, it will look like there are two separate houses or a duplex, and that the aesthetics of the façade could be enhanced and the interior would be more functional if the new window in bedroom 1 were centered and larger. Commissioner Gibson questioned the necessity for the angling of the driveway, and Commissioner Petersen wondered if the applicant had considered insulating the house from the street noise.

Frank Gonsalves, architect for the project, responded that one solution would be to locate the stairs closer to the garage, that he could possibly work more on making the existing garage door less obtrusive, the bedroom window could be relocated and the driveway does not need to flare out. Responding to questions from the Commission, Mr. Gonsalves stated that the new wall of the house will be 13'6" from the existing wall, and that expanding the width of the existing garage would place it only 1'10" from the property line.

Responding to Chair Parsons' question, PP de Melo stated that there would be 180 cubic yards of dirt removed to build the additional garage.

Chair Parsons opened the public hearing.

Resident Ken Carter, spoke in support of the project.

Motion: By Commissioner Wiecha, seconded by Commissioner Gibson, to close the public hearing. Motion passed.

Comments from the Commission were as follows:

Chair Parsons - Granting a variance to allow for the second garage would be granting a special privilege that would have to be considered for other neighbors. Project is out of character with the neighborhood. Moving the garage to the other side would be a better alternative. Does not want to see many driveways in front of every house, especially when they are so close to the street as to encroach on the City's right-of-way.

Commissioner Gibson - Agreed that two driveways would be a special privilege and two garage doors would be unacceptable.

Commissioner Torre - Inclined to vote for the project because parking is a real problem in Belmont and this applicant is willing to put money into creating more parking. Is not convinced that the reasoning for supporting item C on page 5 is accurate. Would like the Commission to recommend to Council the adoption of an exception procedure related to parking to provide incentives for things the City would like to see accomplished.

Commissioner Petersen - A way to support the homeowner's desire to get his cars off the street needs to be considered.

Commissioner Wiecha - The long driveway and existing parking in front of the house can accommodate 6 cars. Drainage seeping across the driveway could be resolved with an underdrain and could also conserve the foundation of the existing house. Has a problem with the aesthetics with a two garage doors and two driveways and the front yard setback. Would not support a variance to reduce the side yard setback. Sees no public benefit to supporting encroachment on City property for the retaining walls. With the addition of the proposed driveway there would be over 1000 square feet of pavement in the front yard.

Commissioner Mathewson: Agreed with comments about aesthetics but would like to see sufficient parking. Would find it hard to make the design review findings. Could probably support the project in the future with redrawing that included some of the Commissions' suggestions.

Chair Parsons reminded the Commission that parking is an issue with respect to all houses in Belmont, and there is no requirement to add an additional garage.

MOTION: By Chair Parsons, seconded by Commissioner Petersen, to deny the project for the following reasons: 1) granting the variance would not deprive the applicant of privileges enjoyed by others; 2) granting the variance would be a special privilege because of the setback issue on City property; and 3) under design review, it would not be consistent with the character of the neighborhood.

Ayes: Parsons, Petersen, Wiecha, Gibson, Torre, Mathewson

Noes: None

Motion for denial passed 6/0

PP de Melo stated that staff will bring a final resolution to the August 21, 2001 meeting, summarizing the motion in terms of the findings that the Commission could not make. The effective date of the appeal period for the project will not begin until after that resolution is confirmed.

Public Hearing -904 Villa Avenue. To consider a Single-Family Design Review application to remodel the existing 1,070 square foot single-story residence. The proposed remodel will reconfigure the interior space and add 708 square feet to the same level. The remodeled home will total 1,778 square feet. The maximum permitted floor area is 2,930 square feet. (Appl. No.

01-0079); APN: 044-301-037; Zoned: R-2; CEQA Status: Exempt Robert and Eun Dewart, Owners; Virginia Low, Applicant

Zoning Technician Stone summarized the staff report, recommending approval.

Commissioner Torre and staff discussed the classification of projects as demolitions vs. remodels, and specifically the question of the setback and parking garage requirements.

Chair Parsons opened the public hearing. No one came forward to speak.

Motion: By Commissioner Mathewson, seconded by Commissioner Wiecha, to close the public hearing. Motion passed

Motion: By Commissioner Mathewson, seconded by Commissioner Wiecha, to adopt Resolution approving a single-family design review at 904 Villa Avenue.

Ayes: Mathewson, Wiecha, Gibson, Torre, Petersen, Parsons

Noes: None

Motion passed 6/0

Chair Parsons announced that this item can be appealed to the City Council within ten days.

REPORTS, STUDIES, UPDATES, AND COMMENTS

Regarding the U-Haul project, Chair Parsons asked staff to inform the owner that a dead redwood tree on the site needs to be replaced.

CDD Ewing called the Commission's attention to the City Council's next agenda, which included discussion of the resolution to finalize the Coronet project, confirmation of the Arco resolution, and the Planning Commission's recommendation that patios, porches and decks no longer be included in floor area ratios.

CA Savaree announced that she will not be available for the next two meetings but Mark Zafferano will attend on her behalf.

CDD Ewing informed the Commission that the meeting of August 21, 2001 will not convene until 8:00 p.m. due to the public workshop being conducted from 6:00 p.m. to 8:00 p.m. The purpose of the workshop is to seek public input on better ways to process development projects. The Commissioners were encouraged to attend.

Commissioner Mathewson reminded the Commission that they had previously decided against any architectural or interior design review and had gotten back into the habit of making comments about aesthetics, etc.

Commissioner Torre asked that a discussion be held regarding an exception process for people willing to add parking spaces to their site. CDD Ewing agreed to bring this topic to a study session in September.

ADJOURNMENT:

The meeting adjourned at 10:45 p.m. to a regular meeting on August 21, 2001 at 8:00 p.m. at Twin Pines Senior and Community Center.

Craig A. Ewing, AICP

Planning Commission Secretary

Audiotapes of Planning Commission Meetings are available for review

in the Community Development Department.

Please call (650) 595-7416 to schedule an appointment